

02-14-2001

FORM PTO-1618A
Expires 06/30/99
OMB 0651-0027



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U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

☒ New

☐ Resubmission (Non-Recordation)

Document ID #

☐ Correction of PTO Error

Reel #

Frame #

☐ Corrective Document

Reel #

Frame #

Conveyance Type

☐ Assignment

☐ License

☐ Security Agreement

☐ Nunc Pro Tunc Assignment

☐ Merger

Effective Date
Month Day Year

011701

☐ Change of Name

☒ Other Termination and Release of Security Interest in Trademarks

Conveying Party (Giving Release)

☐ Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name Wells Fargo Bank, National Association

011701

Formerly

☐ Individual

☐ General Partnership

☐ Limited Partnership

☒ Corporation

☐ Association

☐ Other

☒ Citizenship/State of Incorporation/Organization California

Receiving Party (Receiving Release)

☐ Mark if additional names of receiving parties attached

Name Nonni's Food Company, Inc.

DBA/AKA/TA

Composed of

Address (line 1) 601 South Boulder

Address (line 2)

Address (line 3)

Tulsa

City

Oklahoma

State/Country

74119

Zip Code

☐ Individual

☐ General Partnership

☐ Limited Partnership

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

☒ Corporation

☐ Association

☐ Other

☒ Citizenship/State of Incorporation/Organization Florida

02/13/2001 GTON11 00000360 2222670

FOR OFFICE USE ONLY

01 FC:481
02 FC:482

40.00 OP
25.00 OP

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK
REEL: 002234 FRAME: 0620

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number (212)238-8714

Name

Macculloch M. Irving, Esq.

Address (line 1)

CARTER, LEDYARD & MILBURN

Address (line 2)

2 Wall Street

Address (line 3)

New York, NY 10005

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

#

5

Trademark Application Number(s) or Registration Number(s)

☐

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

2222870

1727905

Number of Properties

Enter the total number of properties involved.

#

2

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

65.00

Method of Payment:

Enclosed

☒

Deposit Account

☐

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes

☐

No

☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Martha M. Ortiz

Name of Person Signing

Signature

February 2, 2001

Date Signed

TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS

WHEREAS, NONNI'S FOOD COMPANY, INC., a Florida corporation ("Grantor"), entered into an Agreement (Trademark) with Wells Fargo Bank, National Association, as administrative agent for the Lenders defined therein ("Administrative Lender"), which was recorded on January 8, 1999 in the United States Patent and Trademark Office at Reel 1842, Frame 0577 (the "Security Agreement");

WHEREAS, Grantor granted to Administrative Lender, under the terms of the Security Agreement, a security interest (the "Security Interest") in favor of Administrative Lender, in and to all of Grantor's intellectual property described in the Security Agreement, including without limitation, the trademarks listed on **Schedule A** and all of the goodwill of the business connected with the use of, and symbolized by, the trademarks owned by Grantor (collectively, the "Marks");

WHEREAS, Grantor granted the Security Interest to Administrative Lender in order to induce Administrative Lender and the Lenders to enter into the Revolving Credit and Term Loan Agreement dated December 23, 1998 (as amended, supplemented or modified from time to time, the "Credit Agreement"), among the Borrower, the Lenders and Administrative Lender; and

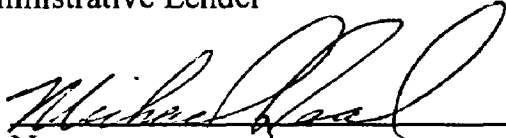
WHEREAS, Administrative Lender wishes to release, restore and reassign all right, title and interest in and to the Marks and to dissolve any and all liens and encumbrances in its favor respecting the Marks.

[Remainder of page intentionally left blank]

NOW, THEREFORE, in consideration of the foregoing and intending to be legally bound, Administrative Lender hereby releases and discharges the Security Interest, and hereby sells, assigns, transfers and sets over to Grantor and its respective successors and assigns any right, title or interest in or to the trademarks and other intellectual property of Grantor that is described in the Security Agreement and the goodwill of the business symbolized by said trademarks, including without limitation the trademarks listed on **Schedule A**, as well as any other trademarks that Grantor may have acquired.

WELLS FARGO BANK, NATIONAL
ASSOCIATION,
as Administrative Lender

By:

A handwritten signature in black ink, appearing to read "Michael Real", is written over a horizontal line.

Name:

MICHAEL REAL
Vice President

Title:

Date: January 17, 2001

SCHEDULE A

<u>Mark</u>	<u>Reg No.</u>	<u>Reg Date</u>
NONNI'S AUTHENTIC ITALIAN FAMILY RECIPE	2222870	February 9, 1999
NONNI'S (stylized)	1727905	October 27, 1992